

AMENDED IN SENATE APRIL 30, 2002

AMENDED IN SENATE APRIL 22, 2002

SENATE BILL

No. 1563

Introduced by Senator Polanco

February 20, 2002

An act to amend Section 709 of, and to add and repeal Section 709.1 of, the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1563, as amended, Polanco. Telecommunications: services.

Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature ~~that a policy regarding described policies for telecommunications in California is to, among other things, promote the avoidance of anticompetitive conduct.~~

This bill, in addition *to existing policies*, would refer to assisting in bridging the “digital divide” by encouraging expanded access to state-of-the-art technologies by rural, inner city, low income, and disabled Californians, *and* to encourage fair treatment of consumers through consumer-oriented conduct, ~~and, instead of promoting the avoidance of anticompetitive conduct, promoting a level playing field among providers within the listing of the policies.~~

The bill would also require the commission, not later than April 1, 2003, to convene a proceeding to develop a plan for encouraging the widespread availability of advanced telecommunications infrastructure, and would require the proceeding to encourage participation from a broad cross section of the telecommunications industries, including those entities that the commission does not regulate, as well as users and community representatives.

The bill would require the commission to submit by February 1, 2004, to the Governor and the Legislature a report of its findings and recommendation regarding the plan, which identifies areas where telecommunications infrastructure is inadequate, assesses the consequences of this inadequacy, and develops strategies for encouraging the deployment of adequate investment.

These latter provisions concerning the commission's convening of a proceeding and the related report would be repealed on January 1, 2005.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 709 of the Public Utilities Code is
2 amended to read:

3 709. The Legislature hereby finds and declares that the
4 policies for telecommunications in California are as follows:

5 (a) To continue our universal service commitment by assuring
6 the continued affordability and widespread availability of
7 high-quality telecommunications service to all Californians.

8 (b) To encourage the development and deployment of new
9 technologies and the equitable provision of services in a way
10 which efficiently meets consumer need and encourages the
11 ubiquitous availability of a wide choice of state-of-the-art
12 services.

13 (c) To assist in bridging the "digital divide" by encouraging
14 expanded access to state-of-the-art technologies by rural, inner
15 city, low income, and disabled Californians.

16 (d) To promote economic growth, job creation, and the
17 substantial social benefits that will result from the rapid
18 implementation of advanced information and communications
19 technologies by adequate long-term investment in the necessary
20 infrastructure.

21 (e) To promote lower prices, broader consumer choice, and a
22 ~~level playing field among providers.~~ *avoidance of anticompetitive*
23 *conduct.*

24 (f) To remove the barriers to open and competitive markets and
25 promote fair product and price competition in a way that
26 encourages greater efficiency, lower prices, and more consumer
27 choice.



1 (g) To encourage fair treatment of consumers through
2 provision of sufficient information for making informed choices,
3 establishment of reasonable service quality standards, and
4 establishment of processes for equitable resolution of billing and
5 service problems.

6 SEC. 2. Section 709.1 is added to the Public Utilities Code, to
7 read:

8 709.1. (a) No later than April 1, 2003, the commission shall
9 convene a proceeding to develop a plan for encouraging the
10 widespread availability of advanced telecommunications
11 infrastructure. The proceeding shall encourage participation that
12 includes a broad cross section of the telecommunications
13 industries, including those entities that the commission does not
14 regulate, as well as users and community representatives.

15 (b) The mission of the plan is to identify areas where
16 telecommunications infrastructure is inadequate, assess the
17 consequences of this inadequacy, and develop strategies for
18 encouraging the deployment of adequate investment.

19 (c) The commission shall submit to the Governor and
20 Legislature a report of its findings and recommendations by
21 February 1, 2004.

22 (d) This section shall remain in effect only until January 1,
23 2005, and as of that date is repealed, unless a later enacted statute,
24 that is enacted before January 1, 2005, deletes or extends that date.

